

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CINDY DESIR,

Plaintiff,

-v-

NYU LANGONE HOSPITALS and NICOLE REISS,

Defendants.

CIVIL ACTION NO.: 19 Civ. 8144 (SLC)

**ORDER TO SUBMIT SETTLEMENT
MATERIALS**

SARAH L. CAVE, United States Magistrate Judge.

This case contains one or more claims arising under the Fair Labor Standards Act. In light of the requirements of Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the parties must file a joint letter-motion that addresses whether the settlement is fair and reasonable (the “Cheeks Submission”). On August 24, 2021, the Honorable John P. Cronan directed the parties to file their Cheeks Submission by October 18, 2021. (ECF No. 64). On October 15, 2021, the parties requested an extension of time, until November 1, 2021, to file their Cheeks Submission. (ECF No. 65). On October 18, 2021, the parties consented to the jurisdiction of a United States Magistrate Judge for all purposes. (ECF No. 66).

The parties’ requested extension is GRANTED. The parties shall file their Cheeks Submission by **November 1, 2021**, and should address the claims and defenses, Defendants’ potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of Plaintiff’s case and Defendants’ defenses, any other factors that justify the discrepancy between the potential value of Plaintiff’s claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the

question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint Letter-Motion should also explain the attorney fee arrangement, attach a copy of any retainer agreement, and provide information as to actual attorneys' fees expended (including billing records and costs documentation). Finally, a copy of the settlement agreement itself must accompany the joint Letter-Motion.

The Clerk of Court is respectfully directed to close ECF No. 65.

Dated: New York, New York
October 20, 2021

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge